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7
8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-888*

13 **JOSHUA SETH PARKS**
14 **RT 1 Box 70**
15 **Blaine, TN 37709**

A C C U S A T I O N

16 **Registered Nurse License No. 612607**

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing (Board),
22 Department of Consumer Affairs.

23 2. On or about January 30, 2003, the Board issued Registered Nurse License Number
24 612607 to Joshua Seth Parks (Respondent). The Registered Nurse License expired on August 31,
25 2006, and has not been renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board under the authority of the following
28 laws. All section references are to the Business and Professions Code (Code) unless otherwise
indicated.

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4. Code section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

6. Code section 2811, subdivision (b), provides, in pertinent part, that the Board may renew an expired license at any time within eight years after the expiration.

STATUTORY PROVISIONS

7. Code section 2761 states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

..

"(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

“ ”

COST RECOVERY

8. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

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1 CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct-Out of State Discipline)

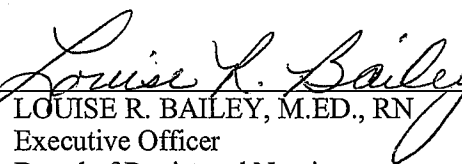
3 9. Respondent is subject to disciplinary action under Code section 2761, subdivision
4 (a)(4), in that on or about February 16, 2012, in a disciplinary action before the Tennessee Board
5 of Nursing, in the matter of Registered Nurse License No. 124581, Respondent's license was
6 suspended. The disciplinary action was based on Respondent's conduct on or about June 21,
7 2010, when Respondent exhibited slurred speech and unusual behavior while working in the
8 Emergency Room. A subsequent urine drug screen showed Respondent was under the influence
9 of Marijuana, Benzodiazepines, Methadone, and Fentanyl.

10 PRAYER

11 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
12 and that following the hearing, the Board of Registered Nursing issue a decision:

- 13 1. Revoking or suspending Registered Nurse License Number 612607, issued to Joshua
14 Seth Parks;
- 15 2. Ordering Joshua Seth Parks to pay the Board of Registered Nursing the reasonable
16 costs of the investigation and enforcement of this case, pursuant to Business and Professions
17 Code section 125.3;
- 18 3. Taking such other and further action as deemed necessary and proper.
- 19

20 DATED: APRIL 8, 2013

21 
22 LOUISE R. BAILEY, M.ED., RN
23 Executive Officer
24 Board of Registered Nursing
25 Department of Consumer Affairs
26 State of California
27 Complainant
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